

**REMARKS**

The Office Action mailed on June 15, 2005, has been reviewed and the comments of the Patent and Trademark Office have been considered. Prior to this paper, claims 1-13 were pending. Claims 2 and 10 are now cancelled without prejudice or disclaimer and claims 14-21 are added. Therefore, claims 1, 3-9 and 11-21 are pending and submitted for consideration.

**Claim Objections**

Claim 4 is objected to as containing informalities. Claim 4 has been amended where appropriate. Reconsideration and withdrawal of the objection is respectfully requested.

**Rejections Under 35 U.S.C. §112, First Paragraph**

Claim 8 is rejected under 35 U.S.C. §112, first paragraph, as failing to comply with the written description requirement. The rejection should be withdrawn because paragraph [0010] of the application specifically states that the “first and/or the second guide member therefore has at least one stop for limiting the displacement travel of the tubular gas generator in at least one displacement direction” as mentioned in claim 8. Applicants respectfully request reconsideration of this claim in view of the disclosure in paragraph [0010].

**Rejections Under 35 U.S.C. §112, Second Paragraph**

Claims 5, 11 and 13 are rejected under 35 U.S.C. §112, second paragraph, as being indefinite. Claims 5, 11 and 13 have been amended where appropriate. Reconsideration and withdrawal of the rejection is respectfully requested.

**Rejections Under 35 U.S.C. §102(b)**

Claims 1, 3-9 and 11-13 are rejected under 35 U.S.C. §102(b) as being anticipated by Kanda (U.S. Patent Number 5,730,459). The claims have been amended by amending claim

1 to include the recitations of former claim 10, and to effectively place claims 4, 11 and 13 into independent form.

The rejection should be withdrawn because Kanda does not disclose, teach or suggest the claimed invention.

For example, Kanda does not disclose, teach or suggest an airbag unit including a fastening element for tying a (tubular) gas generator to a motor vehicle and a deformation element arranged “*between* the fastening element and the tubular gas generator” as called for in claim 1. The Examiner contends that Kanda discloses a deformation element 10<sub>5</sub>. However, in Kanda the deformation element 10<sub>5</sub> is not located *between* the fastening element 3<sub>1</sub> and the gas generator 8. Instead, in Kanda, at most, the deformation element 10<sub>5</sub> lies between a portion of front steering wheel cover 10 and a bolt 14. Indeed, from the perspective of the direction of movement of the steering wheel cover 10, the deformation element 10<sub>5</sub> merely travels along the surface of the fastening element 3<sub>1</sub> and is not *between* any portion of fastening element 3<sub>1</sub> and the gas generator 8. Thus, the rejection of claim 1 should be withdrawn.

Further by way of example, Kanda fails to disclose, teach or suggest an airbag unit including a fastening element for tying a tubular gas generator to a motor vehicle, “a first guide member arranged on the fastening element and a second guide member located *on* the tubular gas generator and engaged with the first guide member” as called for in claim 4. The Examiner contends that Kanda discloses guide members (i.e., bolt 14 and slot 10<sub>4</sub>). However, in Kanda, none of the alleged guide members (bolt 14 and slot 10<sub>4</sub>) are located *on* the alleged tubular gas generator 8. Instead, at most, the bolt 14 is located on the fastening element 3<sub>1</sub> and the slot 10<sub>4</sub> is located on the steering wheel cover 10. Thus, the rejection of claim 4 should be withdrawn.

Claim 11 calls for the deformation element to be arranged “between the fastening element and the tubular gas generator. Thus, claim 11 is allowable for at least the reasons set forth above with regard to claim 2.

Still further by way of example, Kanda fails to disclose, teach or suggest an airbag unit including a tubular gas generator, a deformation element configured to interact with the gas generator, and a housing for receiving further components of the airbag unit, “wherein the housing is arranged *on* the tubular gas generator” as called for in claim 13. The Examiner contends that Kanda discloses a housing 11. However, Kanda fails to teach that the housing “is arranged *on* the tubular gas generator.” In Kanda, at most, the alleged tubular gas generator 8 is *inside* a housing (assuming *arguendo* that there is a housing present). There is no housing arranged on any tubular gas generator. Thus, the rejection of claim 13 should be withdrawn.

Reconsideration and withdrawal of the rejection of claims 1, 3-9 and 11-13 is respectfully requested.

#### New Claims

Each of claims 14-21 depend from one of claims 1, 4, 11 or 13 and are, therefore, allowable for at least the reasons detailed above without regard to the further patentable limitations contained therein.

#### Conclusion

The present application is now believed to be in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of

papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

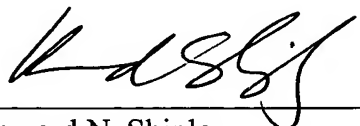
The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

Respectfully submitted,

Date September 15, 2005

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